

and annually thereafter, the Federal Trade Commission, in consultation with the Secretary of Commerce, shall submit to the appropriate congressional committees, the Secretary of Health and Human Services, the Committee on Foreign Investment in the United States, and the Commissioner of Food and Drugs, a report on foreign investment from the People's Republic of China in the pharmaceutical industry of the United States.

(b) **ELEMENTS.**—The report required by subsection (a) shall include an assessment of—

(1) the supply chain of the pharmaceutical industry of the United States and the effect of concentration and reliance on manufacturing in the People's Republic of China within that industry;

(2) the effect of foreign investment from the People's Republic of China in the pharmaceutical industry of the United States on domestic capacity to produce drugs and active and inactive ingredients of drugs; and

(3) the effect of foreign investment from the People's Republic of China in technologies or other products for sequencing or storage of DNA, including genome and exome analysis, in the United States, including the effect of such investment on the capacity to sequence or store DNA in the United States.

(c) **AUTHORITY.**—The Federal Trade Commission shall have authority under section 6 of the Federal Trade Commission Act (15 U.S.C. 46) to conduct the studies required to prepare the report required by subsection (a).

(d) **PUBLICATION.**—The Federal Trade Commission shall publish an unclassified summary of the report required by subsection (a) on a publicly available internet website of the Commission.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Health, Education, Labor, and Pensions, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(2) the Committee on Financial Services, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 2035. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 261, strike lines 16 through 23 and insert the following:

Research of the National Science Foundation;

“(E) ensuring that at least one eligible consortium designated as a regional technology hub is headquartered in a low population State that is eligible to receive funding from the Established Program to Stimulate Competitive Research of the National Science Foundation; and

“(F) ensuring that no eligible consortium that is located in a State in which a national

laboratory is also located is designated as a regional technology hub.

SA 2036. Mr. BARRASSO (for himself, Mr. RISCH, Mr. CRUZ, Mr. CRAMER, Mr. CRAPO, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division C, add the following:

SEC. 3117. PROHIBITION ON RESTRICTIONS ON POWER-GENERATION PROJECTS BY UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION IN CERTAIN COUNTRIES.

(a) **PROHIBITION ON CERTAIN RESTRICTIONS ON POWER-GENERATION PROJECTS.**—The United States International Development Finance Corporation (in this section referred to as the “Corporation”) shall not implement or enforce any rule, regulation, policy, procedure, or guideline that would prohibit or restrict the source of energy used by a power-generation project the purpose of which is to provide affordable electricity in an IDA-eligible country or an IDA-blend country.

(b) **LIMITATION ON BOARD.**—The Board of the Corporation shall not, whether directly or through authority delegated by the Board, reject a power-generation project in an IDA-eligible country or an IDA-blend country based on the source of energy used by the project.

(c) **ALL-OF-THE-ABOVE ENERGY DEVELOPMENT STRATEGY.**—The Corporation shall promote a technology- and fuel-neutral, all-of-the-above energy development strategy for IDA-eligible countries and an IDA-blend countries that includes the use of oil, natural gas, coal, hydroelectric, wind, solar, and geothermal power and other sources of energy.

(d) **DEFINITIONS.**—In this section:

(1) **IDA-ELIGIBLE COUNTRY.**—The term “IDA-eligible country” means a country eligible for support from the International Development Association and not the International Bank for Reconstruction and Development.

(2) **IDA-BLEND COUNTRY.**—The term “IDA-blend country” means a country eligible for support from both the International Development Association and the International Bank for Reconstruction and Development.

SA 2037. Mr. PORTMAN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. 25. REGULATION OF FOREIGN MANUFACTURERS OF CYLINDERS USED IN TRANSPORTING HAZARDOUS MATERIALS.

(a) **DEFINITIONS.**—In this section:

(1) **CYLINDER.**—The term “cylinder” means any cylinder specified under any of sections 178.36 through 178.68 of title 49, Code of Federal Regulations (or successor regulations).

(2) **FOREIGN MANUFACTURER OF CYLINDERS; FMOC.**—The term “foreign manufacturer of cylinders” or “FMOC” means an entity that manufactures cylinders outside of the United States that are intended to be represented, marked, certified, or sold as qualified for use in transporting a hazardous material in commerce in the United States.

(3) **IN GOOD STANDING.**—The term “in good standing”, with respect to an FMOC, means that the FMOC—

(A) is approved by the Secretary pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation); and

(B) has demonstrated 3 years of compliance with—

(i) part 107 of title 49, Code of Federal Regulations (or successor regulations); and

(ii) chapter 51 of title 49, United States Code.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Transportation.

(b) **APPROVAL OF FOREIGN MANUFACTURERS OF CYLINDERS.**—

(1) **IN GENERAL.**—The Secretary shall promulgate regulations to provide that an approval provided to an FMOC pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), shall be for a period of not longer than 1 year, except as provided under paragraph (2).

(2) **5-YEAR APPROVAL.**—The Secretary may provide a 5-year approval of an FMOC pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), if the following requirements are met:

(A) The FMOC attests that none of the cylinders made by the FMOC are prohibited from entry to the United States under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(B) The FMOC certifies that—

(i) the information provided pursuant to subsection (f) is accurate; and

(ii) the FMOC has a proactive responsibility to inform the Secretary if any such information materially changes.

(C) The FMOC provides proof of the minimum financial responsibility required under subsection (c).

(D) The Secretary determines that the FMOC is in good standing.

(3) **FACILITY INSPECTIONS.**—

(A) **DEFINITION OF OBSTRUCTS.**—In this subsection, the term “obstructs” means taking actions that are known, or reasonably should be known, to prevent, hinder, or impede an inspection.

(B) **PENALTIES.**—The Secretary may suspend or terminate an approval of an FMOC if the FMOC obstructs or prevents the Secretary from carrying out an inspection under section 107.807(c) of title 49, Code of Federal Regulations (or a successor regulation).

(4) **INTERACTION WITH OTHER STATUTES, AGREEMENTS, REGULATIONS.**—Nothing in this section may be construed to prevent the harmonization of cylinder standards otherwise authorized by law (including regulations).

(5) **OTHER CAUSE FOR SUSPENSION OR TERMINATION.**—The Secretary may suspend or terminate an approval of an FMOC on determination that the FMOC knowingly or intentionally misrepresented responses to the Secretary required by law (including regulations), including subsections (c) and (f).